



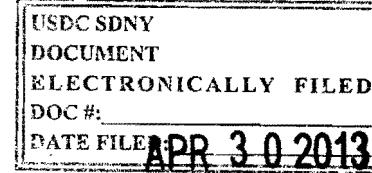
C A D W A L A D E R

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April 26, 2013

VIA FACSIMILE (212-805-7991)



The Honorable J. Paul Oetken
 United States District Court
 Southern District of New York
 40 Foley Square, Room 2101
 New York, NY 10007

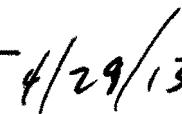
Re: *Wells Fargo Bank, N.A., as Trustee v. Bank of America, N.A. v. Fidelity Nat'l Title Ins. Co.*, 1:11-cv-04062 (JPO)

Dear Judge Oetken:

This firm represents Bank of America, N.A. ("Bank of America") in the above-referenced action. As discussed in our letter to the Court of April 12, 2013, the mortgage at issue in this case (the "Mortgage") was assigned to non-party ColFin MF5 Funding, LLC ("Colony") as of January 24, 2013. Colony, as the assignee of the Mortgage, is an insured under the Loan Policy of Title Insurance in question (the "Policy") and has been engaged in settlement discussions with Fidelity National Title Insurance Company ("Fidelity") regarding its anticipated claims under the Policy. Colony and Fidelity are in the final stages of their settlement negotiations, and we believe that a settlement will be concluded in the next week.

Pursuant to the Court's Order of April 1, 2013, Bank of America and Fidelity submitted their scheduling proposals for the next phase of this case on April 12, 2013, which included a proposed deadline of April 30, 2013 for Colony to file a motion to intervene in this action. While the Court has yet to approve this proposed deadline, in light of the potential imminent settlement between Colony and Fidelity, and to avoid an unnecessary motion to intervene, we respectfully request that the proposed deadline for Colony to file its motion to intervene be extended by one week to May 7, 2013. We have spoken with counsel for Fidelity, which agrees with this request. This is Bank of America's and Colony's first request for such an extension.

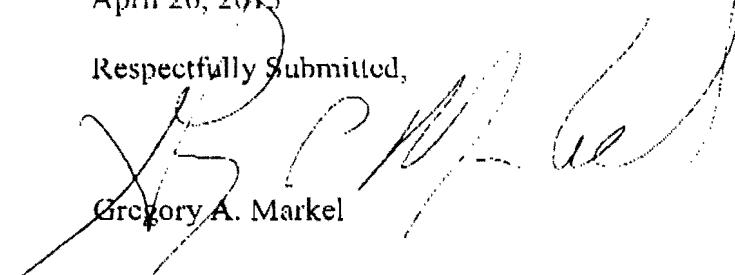
APPLICATION GRANTED:


 HON. J. PAUL OETKEN
 UNITED STATES DISTRICT JUDGE 

C A D W A L A D E R

The Honorable J. Paul Oetken
April 26, 2013

Respectfully Submitted,


Gregory A. Markel

cc: Jonathan B. Nelson, Esq.
Jessica J. Kastner, Esq.